

Time to Disposition: Excludable Time
Superior Court of the District of Columbia
March 23, 2012

For purposes of calculating time to disposition, the Court will define two categories of continuances. The first category constitutes “Excludable Time” and includes delay due to circumstances over which the Court has no control and for periods over which the Court has no control, such as when a defendant is out on a bench warrant. Often in these instances, no further court date is scheduled. The second category, defined as “Other,” encompasses all other continuances.

When calculating time to disposition, only delay in the “Excludable” category will be excluded from the time calculation.

1) Excludable Time

The Court has no control over length of delay.

Civil:

Civil Actions:

- a. interlocutory appeal from stay entered to stay lifted
- b. bankruptcy stay entered to stay lifted
- c. military stay entered to stay lifted
- d. other stay that precludes any activity in case to stay lifted
- e. ancillary proceeding that precludes all other activity in case to resolution of ancillary proceeding
- f. qui tam cases during period of seal to seal lifted

Small Claims:

- a. same as civil actions
- b. Drayton stay entered to stay lifted

Landlord Tenant:

- a. same as civil actions
- b. Drayton stay entered to stay lifted

Criminal:

Felonies:

- a. bench warrant issued to bench warrant quashing or execution
- b. interlocutory appeal from stay entered to stay lifted
- c. foreign jurisdiction/fugitive arrest to return to D.C.
- d. pre-indictment time
- e. competency evaluation ordered to finding of competence
- f. PSI report preparation time

Misdemeanors:

- a. bench warrant issued to bench warrant quashing or execution
- b. interlocutory appeal from stay entered to stay lifted
- c. foreign jurisdiction/fugitive arrest to return to D.C.
- d. stet docket/diversion to dismissal or reactivation
- e. competency evaluation ordered to finding of competence
- f. PSI report preparation time

Family:

Juvenile:

- a. interlocutory appeal from stay entered to stay lifted
- b. custody order issued to custody order quashing or execution
- c. competency evaluation ordered to finding of competence
- d. psychiatric evaluation preparation time
- e. consent decree to closure or reactivation
- f. foreign jurisdiction/fugitive arrest to return to D.C.

Mental Health:

- a. “Respondent’s Whereabouts Unknown –Order Signed and Filed” to “Order to Proceed After Respondent’s Return”

All other Family:

- a. interlocutory appeal from stay entered to stay lifted
- b. bench warrant or custody order issued to bench warrant or custody order quashing or execution
- c. bankruptcy stay entered to stay lifted
- d. order of reference to completion of adoption home study
- e. outstanding bench warrant or incarceration in any case

Domestic Violence:

Criminal:

- a. bench warrant issued to bench warrant quashing or execution
- b. interlocutory appeal from stay entered to stay lifted
- c. foreign jurisdiction/fugitive arrest to return to D.C.
- d. competency evaluation ordered to finding of competence
- e. PSI report preparation time

Civil:

- a. interlocutory appeal from stay entered to stay lifted

Probate and Tax:

- a. bench warrant issued to bench warrant quashing or execution
- b. interlocutory appeal from stay entered to stay lifted
- c. bankruptcy stay entered to stay lifted
- d. ancillary proceeding that precludes all other activity in case to resolution of ancillary proceeding

2) Other

Next event scheduled; all continuances not included under 1) above.